

# **#FOLEY**

FOLEY & LARDNER LLP ATTORNEYS AT LAW

WASHINGTON HARBOUII 3000 K STREET, N.W., SUITE 500 WASHINGTON, D.C. 20007-5143 TELEPHONE: 202.672.5:300 FACSIMILE: 202.672.5:399 WWW.FOLEY.COM

# FACSIMILE TRANSMISSION

# Total # of Pages 22 (including this page)

TO:	PHONE #:	FAX #:
Examiner Konata George USPTO	571-272-0613	571-273-3300

From: Courtenay C. Brinckerhoff

Date: January 25, 2005

Client/Matter No: 025217-0121

US Serial No. 10/644,085

User ID No: 0801

RECEIVED
CENTRAL FAX CENTER

JAN 2 5 2005

## **MESSAGE:**

### ATTACHED FOR FILING ARE THE FOLLOWING DOCUMENTS:

- 1. Amendment Transmittal (3 pages)
- 2. Preliminary Amendment Under 37 CFR 1.111 (3 pages)
- 3. Terminal Disclaimer with Exhibits A and B (15 pages)

I hereby certify that these papers are being facsimile transmitted to Examiner George, at USPTO, on this date.

January 25, 2005

Amy D. Mason

Secretary for Courtenay C. Brinckerhoff

If there are any problems with this transmission or if you have not received all of the pages, please call 202.672.5340.

Operator: Time Sent: Return Original To:
Amy D. Mason

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMINICIPATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

JAN 2 5 2005

Atty. Dkt. No. 025217-0121

#### IN:THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Nora Yat Knork CHEW, et al.

Title:

TOPICAL DELIVERY OF

ANTIFUNGAL AGENTS

Appl. No.:

10/644,085

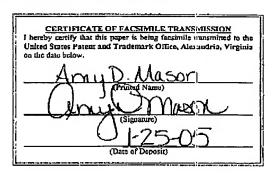
Filing Date: 08/20/2003

Examiner:

Konata George

Art Unit:

1616



#### AMENDMENT TRANSMITTAL

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a ſ previous assertion of Small Entity status.
- Assertion of Small Entity status is enclosed.
- [X] The fee required for additional claims is calculated below:

	Claims				Extra				
	As	I	Previously		Claims				Additional
_	Amended		Paid For		Present		Rate		Claims Fee
Total Claims:	16	-	20	=	0	x	\$50.00	=	\$0.00
Independent Claims:	1	-	3	=	0	x	\$200.00	=	. \$0.00
First p	resentation (	of any	Multiple I	Depen	dent Claims:	+	\$360.00	_	\$0.00
					CLAIMS	FEE	TOTAL	=	\$0.00

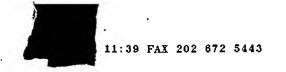


Atty. Dkt. No. 025217-0121

[	]	Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the
		total number of months checked below:

[ ] Extension for response filed within the first month:	\$120.00	\$0.00
[ ] Extension for response filed within the second month:	\$450.00	\$0.00
[ ] Extension for response filed within the third month:	\$1,020.00	\$0.00
[ ] Extension for response filed within the fourth month:	\$1,590.00	\$0.00
[ ] Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSIO	ON FEE TOTAL:	\$0.00
[X] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$130.00
CLAIMS, EXTENSION AND DISCLAIME	ER FEE TOTAL:	\$130.00
[ ] Small Entity Fees Apply (subt	ract ½ of above):	\$0.00
	TOTAL FEE:	\$130.00

- [X] Please charge Deposit Account No. 19-0741 in the amount of \$130.00. A duplicate copy of this transmittal is enclosed.
- A check in the amount of \$130.00 is enclosed.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.



Atty. Dkt. No. 025217-0121

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Courtenay C. Brinckerhoff

Date

FOLEY & LARDNER LLP

Customer Number: 22428 Telephone: (202) 672-5404

Facsimile:

(202) 672-5399

Attorney for Applicant Registration No. 37,288

-3-